

Commissioners Meeting

November 1, 2011 - 8:15 a.m.

Meeting called to order by President David Gogel. Parties present are as follows: Gogel, Logsdon, Toler, Board Attorney Lindsey, Auditor Donna J. Lynam, Superintendent Painter, and Engineer Lloyd.

Minutes

October 4, 2011; Toler made a motion to accept minutes as read. Logsdon seconded. All were in favor. October 18, 2011; Logsdon made a motion to accept minutes with corrections as follows. On page 2 under blanket ordinance add speed limit after the word default and strike last line of that paragraph. Corrections on page 3 under Community Wide Grant needed clarification of the tower locations. Toler seconded. All were in favor.

Claims

Logsdon made a motion to approve claims docket report with the exception of claim number 221 to be paid when construction begins on the Chrisney site. Toler seconded. All were in favor.

Highway Department

Superintendent Painter stated John Limp, member of the city of Rockport parks and recreation board requested use of the counties lift for the use of a project in progress in the park that requires the use of this lift. A large tree is being carved into a tribute to the late Mayor Nedra Groves for her long service to Rockport, Spencer County and the state of Indiana. Logsdon made a motion to approve Park using counties lift for this project. Toler seconded. All were in favor. Logsdon suggested attorney Lindsey contact Mayor Goffinet concerning this matter. Attorney Lindsey will advise Mayor Goffinet of the commissioner's insurance requirements prior to use of the counties lift. Attorney Lindsey will contact Superintendent Painter to contact John Limp to proceed. Superintendent Painter will provide proper training for the use of the counties lift to the cities maintenance personnel prior to the use of the lift.

CEDIT

All of the CEDIT bid projects have been completed per Superintendent Painter.

Time Change

Monday, November 7, 2011 County Highway garage will go back to eight hour days.

Villa Ova Subdivision

Spencer County does not own the roads in Villa Ova subdivision. However, Troy Burden, resident of Villa Ova subdivision contacted commissioners and County Highway superintendent about poor road conditions in this subdivision and requested County to assist in road repairs. Villa Ova subdivision's developer was unable to complete the streets in this subdivision. There was discussion between the County commissioners, Hwy superintendent, County engineer and County attorney and all were in agreement this is not Counties cost to bear this expense. However, it was agreed a cost analysis would be prepared and a meeting in the future would be held with the 20 residents of the Villa Ova subdivision to brainstorm and come to a consensus of how this problem could be rectified. Dubois County had a similar situation, the residents paid the cost of the materials and Dubois county provided the labor.

Engineer

CR 200S

Engineer Lloyd spoke with Patriot's engineer and Lloyd was informed core drill test results should be back in approximately one week.

CR 1910N

Engineer Lloyd was contacted by Benjamin Mills with a complaint. His neighbor put up metal fence posts on County right-of-way. Pictures were handed out to commissioners for their inspection. Since fence posts are not impeding traffic view nor are they a problem with drainage it was decided by commissioners the two fence posts could remain on the counties right-of-way. Engineer Lloyd will contact Mills of this determination.

Huffman Mills

Superintendent Painter will start repair on dead man anchors and cable anchors and brush cleanup. Commissioners advised Superintendent Painter to keep time and material costs recorded for future reference. Engineer Lloyd will prepare bid specs for slope and foundation improvements. After this consideration she will consider alternate bids for repair of side panels, and power washing of graffiti. Engineer Lloyd advised commissioners that expense for painting Huffman Mill Bridge was too costly to consider at this time due to cost restraints of both Perry and Spencer counties. It had been estimated previously due to mobility and equipment needed and concerns of paint getting into the stream painting cost would be near \$50,000. Due to common construction wage law engineer Lloyd will re-advertise bidding on projects and open bids on December 6, 2011 and award bid December 6, 2011 or shortly after to expedite contract execution to encumber funds so project could begin possibly spring of 2012.

Legal Report

Common Construction Wage

Attorney Lindsey advised Commissioners construction wage law applies to moving of County tower project. If the common construction wage is not set at the November 3, 2011 wage hearing this would move the setting of the wage on November 15 with bid awarding on December 6, 2011.

Blanket Ordinance

Attorney Lindsey did some preliminary work on the speed limit study and it does appear the County would have to put signage out. Attorney Lindsey will consult with other County attorneys to see how they have handled this matter in their counties. Engineer Lloyd stated she knew signage would be needed however she did not know if a speed limit study would have to be done on each County Road. Attorney Lindsey stated he did not see where it would be necessary for every County Road. A general speed limit study on representative County roads would be appropriate. He then advised County engineer Lloyd to then apply this study to the rest of the County roads. However, attorney Lindsey stated he would continue to work on this.

Ordinance 2011-10

Spencer County disaster emergency declaration ordinance was tabled and to be brought back up at the December 6, 2011 commissioners meeting.

Community wide grant

Scott Meadors gave Auditor Lynam the engineers stamped new tower drawings to be retained in auditor's office with all other records for this project. Meadors discussed with commissioners prospective tenants for the renting of tower space. Meadors stated there getting ready to let out bids for the radio system this Thursday, November 3,

2011. Opening of bids will be on November 16, 2011 at Carter fire station in Dale Indiana at 5:30 PM. The bid specs were given to auditor Lynam to also let out bids if asked. Meadors asked attorney Lindsey if he had prepared agreement between Carter fire department and the County, and also agreement between Sheriff/dispatch and Carter fire department concerning community wide grant. Attorney Lindsey had not. Attorney Lindsey advised Meadors it is okay to obtain quotes if they are under \$50,000. Carter fire department has been given approval for a receiver site on Holiday World's water tower, if needed. Meadors stated Holiday World would execute an agreement with Carter fire department just like Sheriffs agreement to lease their water tower. Meadors stated in the bid package for the radio system he is asking the awarding bidder to extend the radio pricing for six months for the County Highway, EMA, and any other fire departments that may need extra radios. Meadors spoke to Brad Van Bibber concerning electricity installed at the animal shelter and the new tower in Chrisney. First quotes were for thousand dollars for animal shelter and \$5000 for the new tower in Chrisney however now Meadors is been given \$6000 for animal shelter and \$6000 for the new tower in Chrisney. There was discussion between Meadors and commissioners as to why the price had went up since it was first quoted in June of this year. Preferred Tank and Tower will be out this week to state the location of the new tower in Chrisney. It is anticipated to take 7 to 14 days for the concrete pad and two days first set up of the steel tower at Chrisney.

Inspection

County Inspector, Philip Brown was in the audience and was asked by Superintendent Painter if he would need to inspect the wiring that is to be done by Fisher Company on the new County Highway equipment building. Philip Brown conveyed to Painter he would need to be contacted prior to installation of wiring.

2011 Tax Sale

Attorney Lindsey requested Auditor Lynam to provide satisfaction of monetary judgment, Order, report of inspection, and all Indiana Department of Environmental Management documentation between commissioners and Plaza group properties, LLC Robert W. Alan and Fuel IN Dale, LLC, Cause # 74C01 – 0512 – MI-0482. Auditor Lynam provided documentation for Attorney Lindsey's review. There was discussion between attorney and commissioners. Logsdon made a motion that the commissioners receive a commissioner's deed on parcels 74-02-04-300-018.000-001; 74-02-04-300-022.000-001; 74-02-04-300-023.000-001; Owner: First Philadelphia Independent Ministries, Inc. Toler seconded. All were in favor.

Commissioners' Certificate Sale

Attorney Lindsey, Auditor Lynam, Deputy Auditor Winkler, and Commissioners discussed a commissioners' certificate sale. Attorney Lindsey suggested 25% as the minimum bid on 2011 tax sale properties not sold with the exception of property sales ID numbers 7411003, 7411004, and 7411005. Logsdon made a motion to accept Attorney Lindsey's recommendation of 25% minimum bid at commissioners' certificate sale and that we use online service through SRI cost being 10% of properties sold plus cost of publications in both newspapers. Toler seconded. All were in favor. Not on 2011 tax sale was Holiday Village lot #8, March Subdivision owned by County. Auditor Lynam stated she had a buyer interested in this property. There was discussion by commissioners with Attorney Lindsey. Attorney Lindsey will advise commissioners at next meeting proper procedure needed to sell this property. Logsdon made a motion to offer for sale Holiday Village lot March 8 upon Attorney Lindsey's determination of proper procedure. Toler seconded. All were in favor.

Job Shadowing Day

Auditor Lynam requested the presence of County commissioners on November 14, 2011 at 10 AM in the commissioners' room to visit with our state representative Sue Ellsperman. County commissioners agreed to meet with state representative on November 14, 2011.

Personnel Policy

Auditor Lynam handed out to commissioners two e-mails received in response to requests for any changes needed to be considered by commissioners for the new employee personnel policy handbook. Katie Richards, Spencer County 911 director requested on page 7 - 2.1.3 the hours of jail have changed to first shift 8 AM to 4 PM second shift 4 PM to 12 AM and third shift to 12 AM to 8 AM. Richards also requested, 'to meet the requirements of the State' to be removed. Richards also requested on page 88 – 5.8 that there were question marks for the Sheriff's Department. Richards stated that the Sheriff's Department is a smoke – free facility to all inmates. However employees have smoking privileges outside of the building. Gay Ann Harney, Spencer County clerk had concerns in Chapter 2 – page six employment policies starting at the second paragraph and ending on page 7 at the top paragraph. Also, she had concerns on page 92 Expense Allowances #E, and 5.1 3.7 Repayment for Non-Attendance.

Recess at 9:50 AM

Reconvene at 10:15 AM

Circuit Court

Honorable Judge, John A. Dartt came before the commissioners. He presented a "Cooperative Agreement for Federal Financial Participation for Title IV-D courts hearing IV-D Cases". Deputy Gina Mullen and Honorable Judge Dartt had previously discussed this matter. There was discussion between commissioners and Judge. There was no line for Commissioner to execute on this cooperative agreement. Logsdon made a motion if Hon. Judge Dartt would need president of commissioners to execute the cooperative agreement for federal financial participation it is agreed and approved president of commissioners has authority to execute the agreement. Toler seconded. All were in favor.

Health Insurance

Council had requested at October meeting that Commissioners and Council needed to put together a meeting to brainstorm the counties insurance concerns and needs. Commissioners decided to meet November 14, 2011 at 8 AM in the commissioners' room and requested Auditor Lynam to contact Council of this date and request their presence. Auditor Lynam had been contacted by Kim Litkenhus, with Tobacco-Free Coalition. Litkenhus requested information concerning County vehicles being tobacco-free.

Adjourned

Toler made a motion to adjourn meeting. Logsdon seconded. All were in favor.

Union Local 215 – Highway Department

At 1:30 p.m. CST parties present: Steve Walker, Rick Voyles, with Union Local 215, The Commissioners Present Gogel, Toler and Logsdon, Superintendent Painter, Auditor Lynam, and Deputy Auditor Winkler. Sign-up sheets were signed for the union. Wages, Days off, Cross Training and Seniority were discussed between the Union Local

215, the Commissioners, and Painter. The Commissioners will take under advisement and the group will meet again on November 14, 2011 at 10:45 p.m.

Meeting recessed at 2:05 p.m. CST. Meeting began at 2:10 p.m. CST.

Union Local 215 -- Sheriff

At 2:10 p.m. CST parties present were as follows: Rick Voyles, with Union Local 215, the Commissioners, President Gogel, Toler, and Logsdon, Sheriff Kermit Lindsey, Dispatcher Katie Richards, Ron Heady, Auditor Lynam, Deputy Auditor Winkler. Sign-up sheets were signed for the union. There was discussion on wages, comp time and stress days. Voyles requested the Commissioners consideration to meet with and discuss with the Council longevity pay for 2013 budget for the jail. Sheriff Lindsey presented to the Commissioners a sample letter of agreement on longevity pay proposal for consideration. There was discussion. It was decided to meet again on November 14, 2011 at 11:15 p.m. Meeting ended at 2:27 p.m. CST.

Board of Commissioners meeting adjourned at 11:27 a.m. CST
Board of Commissioners Union Meetings ended at 2:27 p.m. CST

President

Attest:

Donna J. Lynam, Auditor